

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States Courts
Southern District of Texas

FILED

November 14, 2023

Nathan Ochsner, Clerk of Court

United States of America

v.

ERICK DUNCAN

Case No.

4:23-mj-2054

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 20 and September 5, 2023 in the county of Harris in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

21 USC 841

Prohibited Acts - Drug Trafficking

This criminal complaint is based on these facts:

See affidavit in support of arrest warrant.

☒ Continued on the attached sheet.

Complainant's signature

Ryan Dowling

Printed name and title

Sworn to before me by telephone

Date: 11/14/2023City and state: Houston, TX

Judge's signature

Hon. Yvonne H. Ho, US Magistrate Judge

Printed name and title

4:23-mj-2054

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Ryan Dowling, being first duly sworn, depose and state the following:

1. I am a **Special Agent** with the **Federal Bureau of Investigation** and have been since **July 2018**. I am an “investigative or law enforcement officer of the United States” within the meaning of 18 U.S.C. § 2516. I am currently assigned to the FBI Houston Division Field Office as part of the Violent Crimes Task Force.

2. During my time in the FBI, I have participated in investigations of violent crimes, drug trafficking, gun trafficking, export violations, money laundering, complex conspiracies, and among other things, have conducted or participated in surveillances, the execution of search warrants, debriefings of informants and reviews of taped conversations. Through my training, education, and experience, I have become familiar with the patterns of activity regarding the sale, distribution, and manufacturing of illegal narcotics and the methods they employ to plan, coordinate, and conduct these activities, including the use of telecommunication devices such as cellular telephones, use of counter surveillance techniques, and the use of cryptic language, words, and references to conduct their transactions. Suspects often communicate using both voice calls and message applications prior to, during, and after the execution of trafficking and other violent offenses. Additionally, I am familiar with the methods violent criminals employ to obfuscate their physical appearance, such as using “drop” phones, purchasing property under other people’s names and/or aliases, operating different vehicles, and use of counter surveillance to prevent attention from law enforcement and other parties that could endanger them and their criminal enterprise.

3. The information enumerated in the paragraphs below, furnished in support of this affidavit, is either personally known by me, or has been relayed to me by other federal agents or officers, state and local sworn law enforcement officers, or reliable witnesses. Because this affidavit is being submitted for the limited purpose of establishing probable cause for a criminal complaint, the affidavit may not contain every fact known to me during the investigation.

4. On June 20, 2023, law enforcement conducted a controlled purchase of methamphetamine with the use of a Confidential Human Source (CHS) within the limits of the Southern District of Texas. The CHS has been used on multiple occasions and has proven credible and reliable and their information has resulted in both arrests and the seizure of narcotics. The CHS was in contact with Erick Duncan through the use of a cellphone. The CHS made contact with Duncan on June 20, 2023 and agreed to meet Duncan for said purchase. Law enforcement met with CHS prior to the meet and ensured that there were no narcotics on the CHS’s person or in the vehicle the CHS used to transport themselves to the meet. The CHS was then provided with approximately \$1100 dollars in buy money. Law enforcement maintained surveillance as the CHS met with Duncan and confirmed Duncan’s identify by name, sight and comparison to his driver’s license identification. Upon completion of the deal, the CHS met with law enforcement who took custody of the narcotics sold to the CHS by Duncan. The narcotics were sent off to Houston Forensic Science Center where they were confirmed to contain methamphetamine, a schedule II

controlled substance and weigh 460.1grams. Your Affiant knows this to be a weight larger than for personal use and to be a weight consistent with distribution.

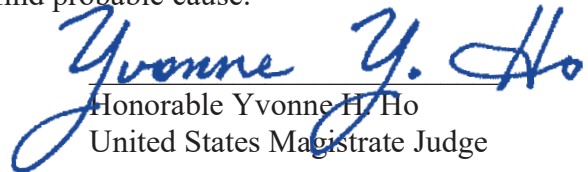
5. On September 5, 2023, law enforcement conducted a second controlled purchase of methamphetamine with the use of a CHS within the limits of the Southern District of Texas. The CHS has been used on multiple occasions and has proven credible and reliable and their information has resulted in both arrests and the seizure of narcotics. The CHS was in contact with Erick Duncan through the use of a cellphone. The CHS made contact with Duncan on September 5, 2023 and agreed to meet Duncan for said purchase. Law enforcement met with CHS prior to the meet and ensured that there were no narcotics on the CHS's person or in the vehicle the CHS used to transport themselves to the meet. The CHS was then provided with approximately \$1100 dollars in buy money. Law enforcement maintained surveillance as the CHS met with Duncan and confirmed Duncan's identify by name, sight and comparison to his driver's license identification. Upon completion of the deal, the CHS met with law enforcement who took custody of the narcotics sold to the CHS by Duncan. The narcotics were sent off to Houston Forensic Science Center where they were confirmed to contain methamphetamine and fentanyl, a schedule II controlled substance and weigh 555.3grams. Your Affiant knows this to be a weight larger than for personal use and to be a weight consistent with distribution.

6. Based on your Affiant's training and experience, and the aforementioned facts and observations, your Affiant believes there is probable cause to believe that Duncan was in possession and distributed methamphetamine in violation of 21 USC 841.



Ryan Dowling
Special Agent
Federal Bureau of Investigation

Sworn to by telephone on November 14, 2023 and I find probable cause.



Honorable Yvonne H. Ho
United States Magistrate Judge